

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
44041.010400

In Re Application Of: Cochrum et al.

Serial No.
09/438,872

Filing Date
November 12, 1999

Examiner
Sandra Saucier

Group Art Unit
1651

Title: **HEMOSTATIC POLYMER USEFUL FOR RAPID BLOOD COAGULATION AND HEMOSTASIS**

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- (a) Return Receipt Postcard; (b) the Present Transmittal Letter (2x); (c) Amendment Transmittal Letter (2x);
(d) Request for Interference Pursuant to 37 C.F.R. Section 1.607 and (e) Amendment Adding New Claims 59-63.

in the above identified application.

- ☐ No additional fee is required.
☐ A check in the amount of _____ is attached.
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Signature

Dated: September 24, 2001

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A. Scheffer

Typed or Printed Name of Person Mailing Correspondence

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Applicant(s): Cochrun et al.

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Invention: HEMOSTATIC POLYMER USEFUL FOR RAPID BLOOD COAGULATION AND HEMOSTASIS

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1. Return Receipt Postcard;
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4. Amendment Transmittal Letter (2x);
5. Request for Interference et al.,;
6. Amendment Adding New Claims 59-63

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APPLICANTS: Cochrum et al.

SERIAL NO.: 09/438,872

FILED: 11/12/99

TITLE: Hemostatic Polymer Useful for Rapid Blood
Coagulation and Hemostasis

EXAMINER: Sandra Saucier

GROUP ART UNIT:1651

New York, New York
September 24, 2001

Sir:

REQUEST FOR INTERFERENCE PURSUANT TO 37 C.F.R. § 1.607

Pursuant to the provisions of 35 C.F.R. § 1.607, Applicants request the declaration of an Interference between the above-identified Application and United States Patent No. 6,060,461, issued May 9, 2001 to John Franklin Drake. A copy of United States Patent No. 6,060,461 is attached hereto as Exhibit A.

In connection with this Request, Applicants respectfully direct the Examiner's attention to the Amendment filed concurrently herewith adding new claims 59-63, directed to the same or substantially the same invention as claims 1, 10, 13, 14 and 15 of United States Patent No. 6,060,461. New claims 59-63 have been effectively present in the instant Application as of its November 11, 1999 filing date, hence, the presentation thereof now is in accordance with the requirements of 35 U.S.C. §135(b).

1. Proposal of Counts Under 37 C.F.R. §1.607

The following count is proposed:

Count 1: A method of enhancing the formation of clots on a wound of an animal where blood is present comprising the steps of applying porous particles having dimensions of from about 0.5 to 1000 micrometers to at least a portion of said wound where blood is present in said wound allowing said porous particles to remain in contact with said blood in said wound while clotting initiates in said wound.

or

A method of enhancing the formation of clots on a wound of an animal where blood is present comprising the steps of applying porous particles having dimensions of from about 40 to 150 microns to at least a portion of said wound where blood is present in said wound allowing said porous particles to remain in contact with said blood in said wound while clotting initiates in said wound.

2. Subject Matter of the Proposed Counts

Proposed Count 1 is directed to a method of enhancing the formation of clots on a wound of an animal where blood is present. Proposed Count 1 is identical to claim 1 of United States Patent No. 6,060,461 and claim 59 of the present Application.

Applicants maintain that proposed Count 1 is an appropriate count for the purposes of an Interference between the subject Application and United States Patent No. 6,060,461.

3. Identification of Claims Corresponding to Proposed Counts

A) **Claims of Applicants**

The subject Application has been amended so that the claims now pending are claims 1-63. Claims 1-63 correspond to proposed Count I.

B) **Claims of Patentee**

As stated above, proposed Count I is identical to claim 1 of United States Patent No. 6,060,461.

4. Application of the Terms of New Claims to the Disclosure Under 37 C.F.R. §1.607(a)(5)

As pointed out above, proposed count I corresponds to new claim 59.

Claims 59-63 are fully supported by the Application as filed. Specifically, the terms of claims 59-63 of the Application are disclosed as follows:

TERMS IN CLAIM SET 59	SUPPORTING LANGUAGE IN SPECIFICATION
A method of enhancing the formation of clots on a wound where blood is present comprising the steps of	Page 11, lines 27-30
applying porous particles having dimensions of from about 40 to 150 microns	Page 12, lines 3-6
to at least a portion of said wound where blood is present in said wound	Page 34, lines 2-4
allowing said porous particles to remain in contact in said wound	Page 12, lines 3-6

while clotting initiates in
said wound

Pages 16, lines 8-13

TERMS IN CLAIM SET 60

**SUPPORTING LANGUAGE IN
SPECIFICATION**

wherein said animal is a
human

Page 6, lines 18-21

TERMS IN CLAIM SET 61

**SUPPORTING LANGUAGE IN
SPECIFICATION**

wherein said particles
comprise a polysaccharide

Page 21, line 4

TERMS IN CLAIM SET 62

**SUPPORTING LANGUAGE IN
SPECIFICATION**

wherein said polysaccharide
comprises dextran

Page 19, last 5 lines
Page 40, lines 1-3

TERMS IN CLAIM SET 63

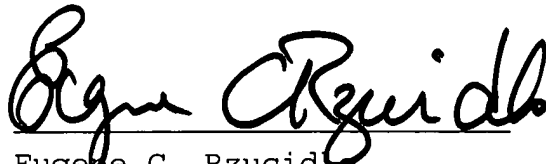
**SUPPORTING LANGUAGE IN
SPECIFICATION**

where said dextran is
crosslinked

Page 40, lines 1 - 3

No fee is deemed necessary in connection with the filing of this Request. However, if any fee is required, authorization is hereby given to charge of amount of such fee to Greenberg Traurig, LLP Deposit Account No. 501-561.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Eugene Rzucidlo". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Eugene C. Rzucidlo

Attorney Registration No. 31,900

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